

Appl. No. 09/730,689
Reply to Office Action of February 6, 2006

Amendments to the Drawings:

The attached drawing sheet includes changes to Fig. 1. Fig. 1 has been amended to refer to the "plug" by the reference numeral --67--. This sheet replaces the original drawing sheet of Fig. 1.

An Annotated Sheet is submitted herewith showing the correction.

The correction is further discussed in the Remarks section of this paper.

Attachments:

Fig. 1 Replacement Sheet
Annotated Sheet Showing Changes

REMARKS

This is in response to the Office Action mailed February 6, 2006, which included a final rejection of all claims presented, and an Advisory Action mailed April 19, 2006. Submitted herewith is a Request for Continued Examination (RCE), and required fee, and a Request for an Extension of Time (2 month), and required fee, extending the period for responding to the Office Action to and including July 6, 2006.

Fig. 1 has been amended to refer to the "plug" by the reference numeral --67--. In addition, the specification, at page 9, has been amended to refer to --plug 67--, rather than "plug 66". These amendments have been made to clearly distinguish --plug 67-- from circuit breakers 66. This amendment is fully consistent with the drawing (Fig. 1) and the specification.

Claims 1-10 and 12-25 were pending. By way of this response, claims 1, 2, 8, 16, 19 and 21 have been amended and new claims 26-28 have been added. The present claims have been amended to make more clear that the circuit panel comprises a plurality of circuit breakers (claims 1, 16 and 21), for example, located substantially in the housing of the power distribution unit (claim 1), and that the plurality of electrical power output assemblies of the present circuit panel are located substantially in the housing of the power distribution unit (claims 1, 16 and 21), that the electrical power output assemblies are each electrically connected to one of the circuit breakers (claims 1, 16 and 21), and that each receptacle is electrically connected and spaced apart from one of the circuit breakers (claims 1, 16 and 21). In addition, claim 1 has been amended to recite that the housing is rack mountable, and claim 2 has been amended to be consistent with

claim 1. Claims 8 and 19 have been amended to recite that each of the output connections and receptacles is electrically connected to a different circuit breaker of the plurality of circuit breakers. New claims 26-28 recite that each circuit breaker that is electrically connected to one of the plurality of output connections is not electrically connected to one of the plurality of receptacles.

Support for the amendments to the claims can be found in the application as originally filed, and no new matter has been added. Accordingly, claims 1-10 and 12-28 are pending.

Claims 1-3, 6-10, 12-16, 19-22, 24, and 25 have been rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Jones (U.S. Pat. No. 3,631,590) in view of Pak (U.S. Pat. No. 5,574,612). Claims 4, 18, and 23 have been rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Jones in view of Pak and further in view of Tajali (U.S. Pat. No. 5,414,590). Claim 5 has been rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Jones in view of Pak and further in view of de Vries (U.S. Pat. No. 6,433,444). Claim 17 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Jones in view of Pak and further in view of Johnson (U.S. Pat. No. 6,462,961). Applicant traverses each of these rejections as it pertains to the present claims.

The present invention is directed to electrical power distribution units comprising a housing, for example, a rack mountable housing (claims 1 and 16), including no internal battery, an electrical power input assembly located substantially in the housing and adapted to be electrically connected to an electrical power supply, and a circuit panel comprising a plurality of circuit breakers and a plurality of electrical power output assemblies. Each of the output

assemblies is electrically connected to the electrical power input assembly and to one, preferably a different one (claims 8 and 19), of the plurality of circuit breakers.

The plurality of electrical power output assemblies include (1) a plurality of output connections, each of which is structured and adapted to be hard-wired to a piece of equipment to provide electrical power; and (2) a plurality of receptacles, each of the receptacles electrically connected to and spaced apart from one of the circuit breakers, and adapted/structured to receive an equipment plug to provide electrical power, for example, from the electrical power input assembly.

Independent claim 21 is directed to an electrical power distribution system comprising a plurality of electrical power distribution units, as described above. Each electrical power distribution unit is adapted to be electrically connected with at least one of the other electrical power distribution units.

Jones discloses a portable distribution panel including a wheeled housing, preferably having a size in the order of 5 feet high, 6 feet long and 2 feet wide. Jones discloses a bank 54 of 12 circuit breakers. As acknowledged in the Office Action, Jones does not disclose, teach, or even suggest any type of receptacles for providing electrical power. Moreover, Jones does not teach or suggest a rack mountable housing as recited in claims 1 and 16. In fact, the large sized unit preferred by Jones actually teaches clearly, directly and expressly away from the rack mountable housing recited in certain of the present claims.

Pak discloses a "plug-in" receptacle that is substituted for a circuit breaker of a conventional service panel. Pak discloses a receptacle designed to be directly mounted to the power terminals of the service panel so that no special

modifications are needed to the service panel in order to mount the receptacle (column 5, lines 20-24). Pak discloses that the receptacle is installed on the service panel by removing a circuit breaker module and substituting the receptacle therefore. Pak discloses that the spring contacts 56a and 56b of the receptacle 20 are directly electrically connected to the power terminal blades 120 of the service panel.

Pak does not disclose, teach or suggest the present invention. For example, Pak does not disclose, teach or even suggest the present power distribution units including rack mountable housings, as recited in certain of the present claims. Importantly, Pak does not disclose, teach or even suggest a power distribution unit including a plurality of circuit breakers and a plurality of receptacles in which each of the receptacles is electrically connected to and spaced apart from one of the circuit breakers of the power distribution unit, as recited in all of the present claims.

Pak discloses that the receptacle is to be connected directly to the power terminals of a power distribution unit in substitution for a circuit breaker. At least to this extent, Pak teaches clearly, directly and expressly away from the present power distribution units which include a plurality of receptacles each of which is electrically connected to and spaced apart from one of the circuit breakers of the power distribution unit, as recited in the present claims.

"As a general rule, references that teach away cannot serve to create a prima facie case of obviousness." (*McGinley v. Franklin Sports, Inc.* CAFC 8/21/01 citing *In re Gurley*, 31 USPQ2d 1131, (Fed. Cir. 1994)).

As noted above, both Jones and Pak do not disclose, teach or even suggest the present invention, and actually teach away

from the present invention. The Examiner contends that it would be obvious to use the receptacle as part of the circuit breaker of Jones. However, Pak teaches that the receptacle is to be used in substitution for the circuit breaker and, thus teaches clearly, directly and expressly away from the combination contended for by the Examiner. This is particularly true since Jones, the primary reference, does not even suggest using any receptacle or receptacles, let alone as recited in the present claims. Moreover, neither Jones nor Pak even suggest a power distribution unit with a rack mountable housing, and Jones actually teaches away from this feature as recited in many of the present claims.

In short, applicant submits that Jones and Pak provide no motivation or incentive to one of ordinary skill in the art to combine their teachings for any purpose, let alone for the purpose of making obvious the present claims. As noted above, Jones and Pak actually teach away from combining their teachings. Applicant submits there is no proper basis for rejecting the present claims.

In view of the above, applicant submits that the present claims, in particular claims 1-3, 6-10, 12-16, 19-22 and 24-28 are unobvious from and patentable over Jones in view of Pak under 35 U.S.C. 103(a).

Applicant submits that the other references fail to provide the deficiencies apparent in Jones and Pak. For example, Tajali does not even contain the word "receptacle", let alone a power distribution unit that includes one or more receptacles, as recited in the present claims. de Vries and Johnson also do not contain the word "receptacle", let alone a power distribution unit that includes one or more receptacles, as recited in the present claims. Thus, none of the references taken alone or in

any combination disclose, teach, or even suggest all of the elements recited in the present claims.

Therefore, applicant submits that the present claims, in particular claims 4, 5, 17, 18 and 23, are unobvious from and patentable over Jones in view of Pak and further in view of Tajali and/or de Vries and/or Johnson under 34 U.S.C. 103(a).

Applicant further submits that each of the present dependent claims is separately patentable over the prior art. For example, none of the prior art disclose, teach, or even suggest the present power distribution units including the additional feature or features recited in any of the present dependent claims. Therefore, applicant submits that each of the present claims is separately patentable over the prior art.

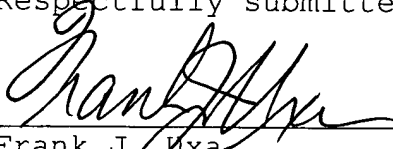
Conclusion

In conclusion, applicant has shown that the present claims are unobvious from and patentable over the prior art under 35 U.S.C. § 103. Therefore, applicant submits that the present claims, that is claims 1-10 and 12-28 are allowable. Therefore, applicant respectfully requests the Examiner to pass the above-identified application to issuance at an early date. Should any matters remain unresolved, the Examiner is requested to call applicant's attorney at the telephone number given below.

Respectfully submitted,

Date: _____

7/6/06



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Annotated Marked-up Drawing

